



# The illicit acquisition of firearms by youth and juveniles

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## Abstract

Youth and juvenile gun violence has been linked to the availability of firearms. Scholars have suggested that, in order to reduce youth and juvenile gun violence, the illicit gun markets serving youth and juveniles must be disrupted. The question of whether illegal firearms markets serving youth and juveniles can be disrupted has been vigorously debated in the academic literature on firearms and firearms crime. One view is that illegal gun market disruption strategies are ineffective because virtually all crime guns are stolen or obtained from non-retail sources. Another view is that such strategies could be effective because illicit firearms markets involving the improper diversion of firearms from retail sources are an important source of guns for youth and juveniles. In partnership with the Bureau of Alcohol, Tobacco, and Firearms, the authors review recent firearms trafficking investigations involving youth and juveniles. This research demonstrates that firearms are illegally diverted to youth and juveniles through a multitude of firearms trafficking pathways including unlicensed dealers, corrupt licensed dealers, and “straw” purchasers. © 2001 Elsevier Science Ltd. All rights reserved.

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## Introduction

Youth homicide rates, particularly incidents involving firearms, increased dramatically in the United States between the 1980s and the 1990s. Between 1984 and 1994, juvenile (under eighteen) homicide victimizations committed with handguns increased by 418 percent, and juvenile homicide victimizations committed with other guns increased by 125 percent (Fox, 1996). During this time period, adolescents as a group (ages fourteen through seventeen) had the largest proportional increase in homicide commission and victimization, but young adults (ages eighteen through twenty-four) had the largest

absolute increase in numbers, and there was a good deal of crossfire between the two age groups (Cook & Laub, 1998). All of the increases in youth and juvenile homicide were in gun homicides (Cook & Laub, 1998, p. 54). Youth and juvenile gun violence has been linked to the availability of firearms (Blumstein & Cork, 1996). Scholars have suggested that, in order to reduce youth and juvenile gun violence, the illicit gun markets serving youth and juveniles must be disrupted (Cook, 1998; Kennedy, 1994). The question of whether illicit gun markets serving youth and juveniles can be disrupted is an interesting one. Well-known survey research suggests that most firearms are acquired by juveniles through theft, personal contacts, or street sources; therefore, policies focused on disrupting illegal firearms markets serving youth and juveniles would be ineffective (see, e.g. Sheley & Wright, 1993). Research analyzing firearms trace data, however, suggests that the illegal diversion of firearms from customary retail channels is an impor-

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tant source of firearms for youth and juveniles, and that market disruption strategies may be an effective way to prevent youth and juveniles from acquiring firearms (see, e.g. Bureau of Alcohol, Tobacco, and Firearms, 1997; Kennedy, Piehl, & Braga, 1996). These opposing viewpoints suggest that existing knowledge on the pathways and modalities through which youth and juveniles acquire firearms needs to be refined and further developed.

### **The illicit acquisition of firearms by youth and juveniles**

#### *Survey research*

Generally regarded as the most authoritative study on the acquisition of firearms by juveniles, Sheley and Wright's (1993) survey of high school students and incarcerated juveniles in four states suggested that more than 90 percent of incarcerated juveniles obtained their most recent handgun from a friend, a family member, "the street," a drug dealer, a drug addict, or by taking it from a house or car (p. 6). Sheley and Wright (p. 6) concluded that, given the reported frequency of both theft and transfers from friends and families, it was likely that theft and burglary were the ultimate source of many of the guns acquired by the juveniles surveyed, but only occasionally the proximate source. Survey research on the acquisition of firearms by another risky population — convicted felons — supports the view that most illegally acquired firearms are not obtained through retail sales. A 1986 survey by Wright and Rossi (1994) of over 1,800 incarcerated felons in ten states concluded that as many as 70 percent of criminals' firearms was obtained through theft. Illegal acquisition through theft included means both direct — the felon stole the firearm himself or herself — and indirect, in which felons bought, bartered for, or borrowed stolen firearms from networks of family and friends. Results from a 1991 survey of state prison inmates also suggested that firearms were not acquired through retail outlets (Bureau of Justice Statistics, 1993).

Such findings have led many to conclude that attention to the diversion of firearms from retail is not warranted because criminals rarely obtain their guns through such customary outlets (Wright & Rossi, 1994, p. 10). In a later article by Wright (1995, p. 66) on gun control policies, he infers that, since convicted felons and juveniles rarely obtain guns through retail channels [controls imposed at the point of retail sale necessarily miss the vast majority of criminal firearms transactions]. He concludes that [the effort to find some way to interfere

with the criminal gun market while leaving legitimate gun owners alone is therefore bootless] (Wright, 1995, p. 66).

A number of questions have been raised about this research and the conclusions often drawn from it. Retail sources still figure in these studies. In the survey of juveniles, 7 percent of inmates and 11 percent of high school students obtained their most recent handgun from a gun shop or pawnshop, and 12 percent of inmates and 28 percent of students indicated that they would either buy from a store or ask someone to do so for them if they needed a firearm (Sheley & Wright, 1993, p. 6). The authors report that a total of 32 percent of the inmates and 18 percent of the students had asked someone to purchase a gun for them in a gun shop, pawnshop, or other retail outlet (Sheley & Wright, 1993, pp. 6–7). In the incarcerated felon study, 21 percent of felons' handguns was obtained by direct purchase from retail outlets (Wright & Rossi, 1994, p. 84). In the 1993 state prison survey, 27 percent of inmates' handguns had come from direct retail purchase (Bureau of Justice Statistics, 1993, p. 19).

Some analysts have argued that this kind of survey research cannot definitively establish how firearms are diverted to proscribed possessors because the possessors themselves may not know, and that the surveys may systematically underestimate the importance of diversion from retail sales by considering only the most recent transferor of firearms to juveniles and adult criminals (Wachtel, 1998). Felons and juveniles may not know whether an old revolver they have just bought from a street source has been stolen in a house burglary or bought second-hand from a gun store. A firearm counted in surveys as having been obtained from a "family member or friend" may have been straw purchased<sup>1</sup> from a Federal Firearms Licensee (FFL). "Street" firearms purchasers [cannot be expected to know how, and from whom, street gun vendors acquire their wares], argues Wachtel (1998, p. 223). [Incomplete depictions of gun pedigrees can lead to the misattribution of sales that should be assigned, at least in part, to retail sources] (Wachtel, 1998, p. 223).

#### *Analyses of firearms trace data*

Other research suggests that retail sales play an important part in supplying firearms to youth and juveniles. Several analyses of firearms trace information of the Bureau of Alcohol, Tobacco, and Firearms (ATF) have concluded that guns used in crime have characteristics suggesting a problem with diversion from retail sources. A study of more than 1,500 firearms recovered from youths aged twenty-one and under in Boston showed that 26 percent of all

traceable firearms, and more than 40 percent of traceable semiautomatic pistols, had a time-to-crime (the period between the firearm's first retail sale through an FFL and its recovery and/or submission for tracing by a law enforcement agency) of less than two years (Kennedy et al., 1996, p. 172). Half of all firearms with a time-to-crime of under two years had been recovered by police within eight months of their first sale at retail by an FFL (Kennedy et al., 1996, p. 172). More than half of all firearms with a time-to-crime of under two years were in the street "calibers of choice" of .380 and 9 mm; such firearms were also traced disproportionately to FFLs outside of Massachusetts (Kennedy et al., 1996, p. 172).

A 1995 study of data contained in ATF's Firearm Tracing System at the National Tracing Center showed that many traced firearms had a very quick time-to-crime that suggested they had been bought at retail, or straw-purchased, or otherwise trafficked, rather than stolen (Pierce, Briggs, & Carlson, 1995). The same study also found a very high concentration of traces associated with a small number of FFLs: nearly half of all traces came back to only 0.4 percent of all FFLs (Pierce et al., 1995, p. 15). Finally, the Youth Crime Gun Interdiction Initiative (YCGII) report, a study of crime gun traces in seventeen communities, concluded that [many recovered firearms are rapidly diverted from first retail sales at federally licensed gun dealers to a black market that supplies juveniles and youth] (Bureau of Alcohol, Tobacco, and Firearms, 1997, p. 8). Up to 43 percent of crime guns recovered from juveniles, 54 percent of crime guns recovered from possessors ages eighteen through twenty-four, and 46 percent of crime guns recovered from possessors ages twenty-five and up showed a time-to-crime of less than three years (Bureau of Alcohol, Tobacco, and Firearms, 1997, p. 8). Firearms recovered from juvenile and youth possessors also showed a greater concentration by make and model relative to those recovered from older possessors (Bureau of Alcohol, Tobacco, and Firearms, 1997, p. 8). These research studies suggested that the diversion of firearms from retail sources was a significant problem.

These studies were subject to a number of widely recognized problems. All were based on firearms recovered by police and other law enforcement agencies, which might not be representative of firearms possessed and used by criminals. The tracing process could not show directly whether a firearm had been stolen, could not identify firearms that had been sold second-hand at retail, and could not identify whether a firearm was sold at a gun show. ATF's trace dataset was influenced by which guns were submitted for tracing, a decision made by law enforcement agencies for a variety of reasons. The

Boston and YCGII studies tried to address that issue by examining all guns recovered by police in the jurisdictions in question. Beyond that, however, not all firearms could be traced, and administrative decisions by ATF influenced those that were traced. The trace-based information that resulted was biased to an unknown degree by these factors.

Even more centrally, trace analysis could not show directly whether a firearm had been trafficked, or what the mode of trafficking might have been. Trace studies typically contained information about the first retail sale of a firearm and about the circumstances associated with its recovery by law enforcement. These studies could not show what happened in between: whether a firearm was legitimately purchased and subsequently stolen sold improperly by an FFL bought in a straw purchase, or any other of a myriad of possibilities. Conclusions that trace analysis showed trafficking were inferential, and even then could not show what form of trafficking was occurring.

#### *Analyses of investigation data*

Several studies have tried to address these shortcomings by examining actual cases of the criminal diversion of firearms. One such study examined 131 closed cases of "dealing without a license" between 1974 and 1976 in seven ATF regional offices (Moore, 1981). The trafficking organizations involved were supplied both by thefts from residences and through purchases from licensed dealers. The study concluded that the trafficking organizations involved were quite small, and did relatively little business; only 10 percent had more than twenty firearms in "inventory" when the arrest was made, and the majority appeared to sell fewer than five firearms a month (Moore, 1981, p. 102). Many appeared to be largely, or partly, in the general business of fencing stolen goods (Moore, 1981, p. 105).

The only other such case review examined twenty-eight trafficking investigations conducted by ATF in the Los Angeles area between 1992 and 1995 (Wachtel, 1998, p. 230). Its findings were strikingly different. These twenty-eight cases charged the diversion of more than 19,000 firearms, primarily .380 and 9 mm handguns (Wachtel, 1998, p. 230). Three-quarters of the diverted firearms was purchased at wholesale, more than 90 percent by FFLs who then sold them illegally, and 1,200 through the use of a forged FFL (Wachtel, 1998, p. 226). Fourteen percent was initially acquired at retail from an FFL, nearly half by straw purchasers, and the balance from FFLs acting illegally (Wachtel, 1998, pp. 230–231). The balance was stolen from commercial outlets; no instances of residential theft were reported (Wachtel,

1998, p. 231). The picture of trafficking that emerged was one of both large-scale and concentrated activity. Eight of the cases examined involved more than 1,000 firearms, and 71 percent, or more than 13,000, of the diverted firearms passed through just fifteen corrupt FFLs (Wachtel, 1998, p. 234). The obliteration of serial numbers was extensive, with one case involving the obliteration of the serial numbers on 1,200 firearms (Wachtel, 1998, p. 236).

These case reviews confronted a number of problems. The cases involved did not necessarily represent typical patterns of trafficking, or typical levels of activity by traffickers. They could not inform the question of what proportion of the criminal diversion of firearms, or acquisition of firearms by criminals, occurred through the criminal channels they described. They portrayed, rather, what law enforcement agencies encounter and pursue. The most — but also the least — that they suggested was that the criminal diversion of firearms at and near the retail level was an important crime and public safety problem. The findings of the Moore (1981, p. 102) study are also dated and may not reflect current firearms trafficking patterns, and the findings of the Wachtel (1998, p. 230) study are very particular to one geographic area and may not reflect general firearms trafficking patterns in the United States. Neither study specifically addressed the illicit acquisition of firearms by youth and juveniles.

### Research questions

The available literature suggests two different views on the illegal acquisition of firearms by youth and juveniles. One view is that all, or virtually all, youth and juvenile crime guns are stolen or obtained from non-retail sources. Another view is that improper diversions of firearms from retail sources are an important source of guns for youth and juveniles. One way of gaining insight into whether youth and juveniles acquire firearms at or through retail outlets is to review criminal investigations of actual firearms traffickers. The largest body of such investigations resides with ATF. ATF investigative data can potentially provide insight into the “retail” issue, and into the nature of any illegal diversion of firearms to youth and juveniles. Important questions concerning illegal diversion include the following:

1. *What is the variety of pathways through which youth and juveniles acquire firearms?* If diversion from retail and other kinds of trafficking are a problem, there remain, in principle, a number of channels through which firearms might pass to youth and juveniles. These channels can include straw purchasers and straw purchasing rings, corrupt licensed dealers, trafficking at and through gun shows, and traffickers reselling firearms obtained through burglaries and robberies of licensed dealers and thefts from residences.
2. *How do pathways cross, or not cross, state lines?* Firearms trafficking has been traditionally construed as an interstate enterprise. Firearms, however, can be trafficked *within* states as well as *across* state lines. To what extent does each occur?
3. *What role is played by new, second-hand, and stolen firearms?* The available research on the acquisition of guns by youth and juveniles would lead one to believe that crime guns were either new and recently diverted from retail (as suggested by the firearms trace data analyses), or old and stolen (as suggested by the survey research). It is also, however, possible for older firearms sold second-hand by FFLs and on the secondary market to be trafficked. It is important to know whether second-hand firearms are subsequently trafficked because current indicators of gun trafficking based on quick time-to-crime trace information may underestimate the true extent of gun trafficking. Except under rare circumstances, the tracing process ends after the first retail sale. Therefore, while a trace of a crime gun may reveal that it was first sold at retail ten years before its recovery in crime, it is possible that during this time period, the firearm was traded in, re-sold much more recently, and diverted to a prohibited person. Stolen firearms are also typically defined as “not trafficked.” Firearms, however, can be stolen from residences and licensed dealers and subsequently trafficked in various ways to youth and juveniles.
4. *What is the scale of firearms trafficking?* Previous case analyses present two views of firearms trafficking organizations. Moore’s (1981, p. 102) study concluded that the trafficking organizations involved were quite small, and did relatively little business. Wachtel’s (1998, p. 234) research presents a picture of firearms trafficking organizations that was one of both large-scale and concentrated activity. Moore’s study dates from a period before the youth violence epidemic, and Wachtel’s is of a small sample of cases from the Los Angeles area, which may not be representative of trafficking in general.
5. *Are trafficked guns used in crimes, and what kind of crimes?* If youth and juveniles do

acquire firearms through illegal diversions, it is important to know whether trafficked firearms are subsequently used in crimes and the types of crimes associated with trafficked firearms.

6. *What are the roles played by youth and juveniles in firearms trafficking cases?* Beyond their roles as possessors of trafficked firearms, it is important to know whether youth and juveniles participate in firearms trafficking organizations as firearms traffickers, straw purchasers, and firearms thieves.

## Methodology

As part of the resolution to fund the YCGII, the United States Senate and House of Representatives Committees on Appropriations requested ATF to report on the performance of their national illegal firearms trafficking program by February 1999. The authors of this article were retained by ATF and the United States Department of the Treasury to review the firearms trafficking enforcement efforts involving juveniles and youth.<sup>2</sup> Under the guidance of the authors, ATF Headquarters requested all ATF Special Agents in Charge and Division Directors to provide information on all firearms trafficking investigations in their respective areas between July 1996 (the commencement date of YCGII) and December 1998 (the end of the last year before February 1999). As part of this request, the authors provided a survey to structure the information for each investigation.<sup>3</sup> The ATF field divisions submitted a total of 1,530 firearms trafficking investigation surveys; 648 of these investigations were described by ATF agents as involving youth and/or juveniles (42.4 percent). These data included all investigative activity initiated by ATF in the United States during the study time frame, regardless of the size of the gun trafficking enterprise under investigation. The field divisions did not submit ATF investigations involving only non-trafficking firearms offenses, such as armed career criminal or felon in possession cases without a firearm trafficking nexus.

The content of the survey responses of the 648 submissions was coded, entered into a computerized database, and analyzed. Prior to a discussion of the research findings, it is necessary to identify the limitations of the data. There are many reasons to be wary of these data. These data suffer from biases associated with police crime incident data. Official crime incident data are biased by police decisions not to record all crimes reported by citizens (Black, 1970). The investigations reflect what ATF encountered and investigated; they do not necessarily reflect

typical criminal diversions of firearms or the typical acquisition of firearms by youth and juveniles. ATF agents may choose to focus their limited resources on cases where the violations are the most serious rather than focusing on cases involving less serious violations. These analyses are based on a survey of ATF special agents reporting information about recent firearms trafficking investigations; survey responses can be limited by a number of issues including underreporting and overreporting by the respondents (Taylor, 1994). The analyses use data from investigations referred for prosecution and adjudicated and also from investigations that had not yet been referred for prosecution. More than 40 percent of the investigations was reported by the agents as fully adjudicated (41.4 percent; 268 of 648). The violations described in the non-adjudicated investigations will not necessarily be charged as crimes or result in convictions. The exact number of offenders in the ongoing investigation, the numbers and types of firearms involved, and the types of crimes associated with recovered firearms may not have been fully known to case agents at the time of the request, and some information may have been underreported. It is likely, for example, that the number of firearms involved in the investigations could increase or decrease, as could the number and types of violations, as more information is uncovered by agents working the investigations.

Information generated as part of a criminal investigation also does not necessarily capture all data about trafficking and trafficking patterns. Investigative information necessary to build a strong case worthy of prosecution may provide very detailed descriptions of firearms used as evidence in the case but may not even estimate, much less describe in detail, all the firearms involved in the trafficking enterprise. Specific and consistent information was generally not provided to determine the number of handguns, rifles, and shotguns trafficked in a particular investigation. ATF special agents also may not have information on trafficked firearms subsequently used in crime. Comprehensive tracing of crime guns does not exist nationwide and, until the very recent YCGII, most major cities did not trace all recovered crime guns.

The figures on new, second-hand, and stolen firearms reflect the number of investigations in which the traffickers were known to deal in these kinds of weapons. The figures on stolen firearms are subject to the usual problems associated with determining whether a firearm has been stolen. Many stolen firearms are not reported to the police. Such limitations apply to much of the data collected in this research. Except where noted, the unit of analysis in the review of investigations is the investigation itself.

The data show, for example, the proportion of investigations that were known by agents to involve new, second-hand, and stolen firearms; these data, however, do not represent a proportion or count of the number of new, second-hand, or stolen firearms being trafficked. The data show what proportion of investigations were known to involve a firearm subsequently used in a homicide, but not how many homicides were committed by trafficked firearms.<sup>4</sup>

All data on crime have important shortcomings. As Reiss and Biderman (1967) suggest, there is no “true” count of crime events, only different socially organized ways of counting them, each with different flaws and biases. The usual justifications for using limited data as an interim measure apply here: It is the only information available and one needs to know more about the nature of gun trafficking involving youth and juveniles.

## Results

The investigation data revealed a multitude of illicit firearms trafficking pathways through which youth and juveniles acquire firearms (Table 1). These data suggest that the illegal diversion of firearms from retail outlets and theft are important illicit sources of guns for youth and juveniles. More than half of the trafficking investigations involved the trafficking of firearms through or by a straw purchaser or a straw

Table 1  
Sources of firearms trafficking identified in ATF investigations ( $N=648$ )<sup>a</sup>

Source	Number	%
Firearms trafficked by straw purchaser or straw purchasing ring	330	50.9
Trafficking in firearms stolen from FFL	134	20.7
Trafficking in firearms by unregulated private sellers	92	14.2
Trafficking in firearms stolen from residence	88	13.6
Trafficking in firearms at gun shows and flea markets	64	9.9
Firearms trafficked by licensed dealer, including pawnbroker	41	6.3
Street criminals buying and selling guns from unknown sources	26	4.0
Trafficking in firearms stolen from common carrier	16	2.5
Other sources (e.g., selling guns over internet, illegal pawning)	9	1.4

<sup>a</sup> Since firearms may be trafficked along multiple channels, an investigation may be included in more than one category.

Table 2

Interstate, intrastate, and international trafficking in ATF investigations ( $N=648$ )<sup>a</sup>

Destination of trafficked firearms	Number	%
Intrastate	478	73.8
Interstate	302	46.6
International	40	6.2
Unknown	10	1.5
<i>Mutually exclusive categories</i>		
Interstate and intrastate	137	21.1
Intrastate only	319	49.2
Interstate only	142	21.9
International only	16	2.5
Intrastate and international	1	0.1
Interstate and international	2	0.3
Interstate, intrastate, and international	21	3.2
Unknown	10	1.5

<sup>a</sup> Since trafficked firearms may be transported to various destinations in an investigation, an investigation can be included in more than one category.

purchasing ring. Firearms trafficking by corrupt licensed dealers and pawnbrokers occurred in slightly more than 6 percent of the investigations and firearms trafficking by unregulated private sellers occurred in about 14 percent of the investigations. Trafficking in firearms at and through gun shows and flea markets occurred in about 10 percent of the investigations. Trafficking in stolen firearms also figured prominently in these investigations. Nearly 21 percent of the investigations involved trafficking in firearms stolen from an FFL; slightly more than 14 percent involved trafficking in firearms from residences; and over 2 percent involved trafficking in firearms stolen from a common mail carrier (such as the United Parcel Service).

These data suggest that the straw purchasing of firearms is a noteworthy illicit source of firearms for youth and juveniles. In the 648 investigations, ATF agents identified 571 straw purchasers. Nearly a quarter of the identified straw purchasers (24.7 percent of 571) was also the immediate firearms trafficker. Three-quarters of the identified straw purchasers was working for a firearms trafficker. ATF agents identified at least one straw purchaser working for firearms trafficker(s) in 201 investigations. In these investigations, the ATF agents described the relationship between the straw purchaser(s) and the trafficker(s) as follows: friend(s) of the trafficker(s) (47.3 percent); business relationship(s) where the straw purchaser(s) was(were) paid by the trafficker(s) with money or drugs to buy guns (29.9 percent); relative(s) of the traffickers (22.4 percent); spouse(s) or girlfriend(s) of the traffickers (18.4 percent); or member(s) of the same gang (7.5 percent).<sup>5</sup>

Table 3

New, second-hand, and stolen guns in ATF trafficking investigations ( $N=648$ )<sup>a</sup>

Type of firearm	Number	%
New guns	507	78.2
Second-hand guns	357	55.1
Stolen guns	227	35.0
Unknown	8	1.2
<i>Stolen firearms</i>		
New guns	136	61.2
Second-hand guns	182	80.2
<i>Mutually exclusive categories for new and used firearms</i>		
New and second-hand guns	224	34.5
New guns only	283	43.6
Used guns only	133	20.5
Unknown	8	1.2

<sup>a</sup> Since more than one type of firearm can be recovered in an investigation, an investigation can be included in more than one category.

Analyses of firearms trace data have documented that the state in which a community is located is generally the largest single source of its traced youth and juveniles crime guns; these analyses also suggest that jurisdictions with less restrictive firearms legislation (e.g., southern states such as Florida and Georgia) can be noteworthy sources of youth and juveniles crime guns for communities with more restrictive gun legislation (e.g. New York City and Boston) (Bureau of Alcohol, Tobacco, and Firearms, 1997, p. 8). The ATF investigation data suggest that firearms traffickers engage in intrastate trafficking, interstate trafficking, and international trafficking (Table 2). More than 70 percent of the investigations involved intrastate firearms trafficking while slightly less than half of the investigations involved interstate firearms trafficking. Slightly more than 21 percent of the investigations involved firearms being trafficked both interstate and intrastate. Firearms were trafficked internationally in about 6 percent of the investigations.

Table 4

Number of firearms involved in ATF trafficking investigations ( $N=648$ )

Range	Number	%
Less than five	130	20.1
Five to ten	147	22.7
Eleven to twenty	123	19.0
Twenty-one to fifty	142	21.9
Fifty-one to one hundred	54	8.3
101–250	26	4.0
251 or greater	17	2.6
Unknown	9	1.4

Table 5

Trafficked firearms known to have been involved in subsequent crimes ( $N=648$ )

Category	Number	%
Investigations with at least one firearm recovered in crime	436	67.3
Investigations with no firearms recovered in crime	212	32.7

New and second-hand firearms were trafficked in these investigations, with new firearms figuring slightly more prominently (Table 3). Second-hand firearms were sold in about 55 percent of the investigations and new firearms were sold in about 78 percent. New and second-hand firearms were sold side by side in more than 43 percent of the investigations. The prominence of trafficked second-hand firearms suggests that estimates of gun trafficking derived from the trace studies on the basis of short time-to-crime are conservative. Thirty-five percent of the investigations involved the illicit sales of guns that were known to be stolen. Stolen firearms are typically defined as not trafficked. Our findings suggest that stolen firearms can also be subsequently trafficked. ATF investigation data in this review revealed that individuals and organized groups specialize in stealing firearms from a variety of sources including FFL dealers, pawnbrokers, residences, and common carriers. These stolen firearms subsequently enter the illegal marketplace through direct sales to end-users or through “fences” selling a variety of stolen goods.

A total of 26,928 firearms were reported to be involved in these 648 investigations. A majority of the investigations involved the trafficking of only a few firearms. Slightly less than 43 percent of the

Table 6

ATF trafficking investigations with at least one firearm recovered in crime ( $N=436$ )<sup>a</sup>

Crime	Number of cases with at least one	%
Criminal possession (not felon in possession)	237	54.3
Felon in possession	199	45.6
Drug offense	134	30.7
Assault	124	28.4
Juvenile possession	101	23.1
Robbery	78	17.9
Homicide	78	17.9
Property crime	71	16.2
Sexual assault/rape	9	2.1
Other crime	14	3.2

<sup>a</sup> Since firearms recovered in an investigation may be used in many different types of crime, an investigation can be included in more than one category.

Table 7

The role of youth and juveniles in ATF trafficking investigations<sup>a</sup> (N=648)

Category	Number	%		
Youth (eighteen to twenty-four)	625	96.5		
Juveniles (seventeen and under)	209	32.3		
Role	Youth ( <i>N</i> =625)		Juveniles ( <i>N</i> =209)	
	<i>n</i>	%	<i>n</i>	%
Possessor	337	53.9	155	74.2
Trafficker	236	37.8	40	19.1
Straw purchaser	149	23.8	4	1.9
Thief/robber of firearms	122	19.5	53	25.3

<sup>a</sup> Since an investigation could involve youth and juveniles in several roles, an investigation can be included in more than one category.

investigations involved the trafficking of ten firearms or less (see Table 4). These investigations suggest that large-volume firearms traffickers, although worthwhile targets for enforcement, may be relatively rare. Less than 3 percent of the investigations involved the illegal trafficking of more than 250 firearms. The two largest numbers of firearms reported in connection with a single investigation were 1359 and 1600, respectively.

In more than two-thirds of the 648 investigations, improperly transferred firearms were known to have been subsequently involved in additional crimes (Table 5). More than half of these 436 investigations involved trafficked firearms associated with subsequent illegal possession cases; slightly more than 45 percent involved trafficked firearms associated with subsequent felon in possession cases; slightly more than 23 percent involved trafficked firearms associated with subsequent juvenile possession cases (Table 6). Trafficked firearms were also used in substantive crimes. Trafficked firearms were known to be involved in subsequent drug offenses (30.7 percent), assaults (28.4 percent), robberies (17.9 percent), homicides (17.9 percent), property crimes (16.2 percent), and sexual assaults (2.1 percent).

Juveniles (ages seventeen and under) and youth (ages eighteen to twenty-four) were involved in the trafficking investigations in a number of roles, including: possessors of trafficked firearms, traffickers of illegally acquired firearms, straw purchasers of firearms, and thieves and/or robbers of firearms. Juveniles and youth were most frequently involved in the trafficking investigations as possessors, with juveniles figuring more prominently as possessors (Table 7). Youth were nearly twice as likely as

juveniles to be involved as traffickers and, due to age restrictions on the purchase of firearms, about ten times as likely to be involved as straw purchasers. Juveniles were slightly more likely to be involved in these investigations as thieves and/or robbers of firearms than youths.

## Discussion

The results of these analyses show that youth and juveniles acquire firearms at and through retail outlets. All previous research studies on the acquisition of firearms by youth and juveniles, in fact, suggest this. Analyses of firearms trace information have concluded that guns used in crime have characteristics suggesting a problem with diversion from retail sources (Bureau of Alcohol, Tobacco, and Firearms, 1997, p. 8; Kennedy et al., 1996, p. 172; Pierce et al., 1995, p. 15). Although the authors conclude that most firearms acquired by youth and juveniles are stolen, survey research by Sheley and Wright (1993, p. 6) also suggests that firearms are obtained at and through retail outlets. As with the findings of trace studies (Bureau of Alcohol, Tobacco, and Firearms, 1997, p. 8), the results of the case review suggest that much firearm trafficking occurs within states as well as across state lines. The analysis of investigation data also suggests that trafficking in second-hand firearms is a large problem. Much that other research has taken as stolen, either on the basis of long time-to-crime or on the basis of felon or juvenile belief, may in fact have been trafficked second-hand firearms. Firearms traffickers do not appear to make the same distinction between new and second-hand firearms that scholars do. It is, in reality, advantageous for firearms traffickers to divert second-hand firearms from retail sources. A trafficker can acquire guns at a discounted price; a second-hand Glock 9 mm pistol costs less than a new Glock 9 mm pistol and will likely get the same price on the street. As mentioned earlier, ATF firearms trace data cannot identify a firearm that was sold second-hand at retail. This limitation of the tracing process makes it more difficult to detect firearms traffickers who illegally divert second-hand firearms.

This research also revealed that stolen guns were also trafficked. The division other research had made between "stolen" and "trafficked" was inappropriate. This observation is consistent with Moore's (1981, p. 102) observation that the firearms trafficking organizations in his study were supplied both by thefts from residences and through purchases from licensed dealers. Theft is clearly an important source of firearms. It has been estimated that some 500,000 guns are stolen each year (Cook & Ludwig, 1996).



This research revealed that there were multiple pathways through which youth and juveniles acquired stolen guns. While many guns might be stolen for immediate personal use, it was clear that many firearms were also stolen from residences, licensed dealers, pawnshops, and common carriers and subsequently trafficked to youth and juveniles. The key challenge for policymakers and criminal justice practitioners in communities afflicted with gun violence is to identify the sources of stolen guns that supply youth and juveniles in their jurisdiction. If youth and juveniles personally acquire stolen firearms through direct theft, it may be possible to impose some obligation on gun dealers and gun owners to store their weapons securely (as now done on pharmacists who sell abusable drugs). To the extent that stolen guns are trafficked to youth and juveniles through organized theft rings and fences, law enforcement agencies can work to identify these criminal networks (through informants, proffers to criminals caught in the possession of stolen guns, and the like) and disrupt these supply lines.

There was a wide range of scale in the number of firearms diverted in these trafficking investigations. Although there were some traffickers that diverted much larger numbers of firearms than found in the study of Moore (1981, p. 102), most firearms traffickers diverted relatively small numbers of firearms. These small-scale transactions are consistent with the “friends and family” transfers of Sheley and Wright (1993, p. 6), and consistent with Sheley and Wright’s (pp. 6–7) finding that many juveniles ask others to buy guns for them. Sheley and Wright’s (p. 6) conclusion that most of these guns were stolen, which is unsupported by any evidence, appears questionable.

Consistent with the growing body of literature on the illegal diversion of firearms, this study suggested that retail sellers were important sources of firearms for criminal use. Increased regulation and law enforcement attention to illicit firearms markets is therefore necessary to reduce the flow of firearms into the hands of youth and juveniles. The research suggested that illegal gun markets serving youth and juveniles were very complex. Youth and juveniles acquired firearms through a multitude of pathways including straw purchasers, corrupt licensed dealers, unregulated dealers, and gun shows. Many of these illicit transactions involved small numbers of both new and second-hand firearms that were trafficked intrastate and interstate. The ATF investigations suggested that criminal firearms trafficking, often involving middle transferors, might be more important sources of firearms for youth and juveniles than direct personal purchases. Since these subsequent transfers of guns were not identifiable in survey

research on gun acquisition, the findings on sources of crime guns in survey research might not be as meaningful as they appeared. Conclusions drawn from survey research, that gun control strategies focused on the point of retail sale necessarily missed the vast majority of criminal firearms transactions, were misinformed.

Future survey research studies on the acquisition of firearms should refine their survey instruments to unravel the pedigree of guns acquired by the respondents. Beyond asking questions about the most recent transferor of firearms, the survey instrument should attempt to figure out whether the respondent knows if the transferor acquired the gun through theft or through purchase at a retail outlet. Since some respondents may not know where their guns originated, other data on the origins of firearms need to be considered. Gun trace data and investigation data provide important insights on the workings of illegal firearms markets. Researchers, policymakers, and practitioners should consider all research evidence to make well-informed decisions on the development of appropriate gun control strategies.

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## Notes

1. A “straw purchase” occurs when the actual buyer of a firearm uses another person, the “straw purchaser,” to execute the paperwork necessary to purchase a firearm from a licensed dealer. A straw purchaser is used because the actual purchaser is prohibited from acquiring the firearm because of a felony conviction, underage status, or some other prohibition.

2. As such, some of the research findings described in this article were highlighted in their report to the U.S. Congress (see Bureau of Alcohol, Tobacco, and Firearms, 1999).

3. The survey instrument is available in Bureau of Alcohol, Tobacco, and Firearms (1999, pp. 23–27).

4. In a separate analysis, the survey responses were found to provide an accurate picture of the working

knowledge held by agents involved in the investigations. Survey responses for a random sample of thirty investigations were carefully reviewed and compared to information contained in the investigation files. The investigation files contained a variety of information on the investigation, including a summary of the case, a set of progress reports documenting ATF agent investigative activities, police reports, evidence inventory, interview transcripts, and court documents. The review revealed that the survey responses were accurate when compared to the paperwork documenting the specifics of the trafficking investigation.

5. Since the straw purchasers in an investigation may have different relationships with the traffickers, an investigation can be included in more than one category.

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